

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Boyce J. Sizemore

Docket No. 5:16-CR-129-1BO

Petition for Action on Supervised Release

COMES NOW Henry Ponton, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Boyce J. Sizemore, who, upon an earlier plea of guilty to Sale of Firearms to a Convicted Felon in violation of 18 U.S.C. § 922(d)(1) and §924(a)(2), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on December 8, 2016, to the custody of the Bureau of Prisons for a term of 21 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Boyce J. Sizemore was released from custody on December 15, 2017, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On December 19, 2017, the defendant reported to the probation office and provided a urine sample. The sample was sent to Alere Laboratories for testing. It was confirmed positive for marijuana on December 22, 2017. The defendant subsequently signed an admission form, admitting to use of marijuana on or about December 15, 2017. Our office is recommending that the court modify the defendant's conditions to include the standard drug aftercare condition to provide him an opportunity to participate in substance abuse treatment and testing.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Eddie J. Smith

Eddie J. Smith
Supervising U.S. Probation Officer

/s/ Henry Ponton

Henry Ponton
U.S. Probation Officer
150 Rowan Street Suite 110
Fayetteville, NC 28301
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Executed On: January 22, 2018

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ORDER OF THE COURT

Considered and ordered this 24 day of January, 2018, and ordered filed and made a part of the records in the above case.

Terence Boyle
Terrence W. Boyle
U.S. District Judge